

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PROVIDING FOR AMENDMENT OF SUBSECTION 7(H) OF THE TOWN CHARTER REQUIRING NO LESS THAN A SUPER-MAJORITY OF MEMBERS PRESENT OF THE TOWN COUNCIL ("SUPER-MAJORITY" BE DEFINED AS A MAJORITY PLUS ONE OF TOWN COUNCIL MEMBERS PRESENT) FOR APPROVAL OF LAND USE PLAN AMENDMENTS; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie, Florida, finds and determines it is in the best interests of the Town of Davie that the citizens have the opportunity to vote on an amendment to the Charter of the Town of Davie; and

WHEREAS, a referendum election is required to amend the Charter;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, AS FOLLOWS:

SECTION 1. Subject to the conditions set forth herein, Subsection 7(H) of the Charter of the Town of Davie shall be amended by adding the following to the end of said subsection:

All actions of the Town Council for approval of or support for a land use amendment pursuant to Section 12-304 of Article X of Chapter 12 (as now numbered or as in the future renumbered) of the Code of the Town of Davie shall require an affirmative vote of no less than a super-majority of the members present of the Town Council ("super-majority" being defined as a majority plus one of the Town Council members present).

SECTION 2. This amendment to the Charter shall be submitted to the vote of the electors of the Town of Davie at the general election scheduled for March 13, 2001.

SECTION 3. That the amendment of the Charter subsection set forth herein, if approved by the majority of the electors voting upon the referendum question, shall take effect immediately.

SECTION 4. Notice of the election to vote on the proposed amendments to the Charter shall be given at least thirty (30) days in advance of the election and shall be given in a newspaper of general circulation published in Broward County, Florida. The notice

shall be published at lease twice, once in the fifth week and once in the third week prior to the week in which the election is to be held.

SECTION 5. The proposed amendment to subsection 7(H) of the Charter shall appear on the ballot as follows:

TOWN OF DAVIE

CHARTER AMENDMENT PROVIDING FOR SUPER-MAJORITY AFFIRMATIVE VOTES APPROVING OR SUPPORTING LAND USE PLAN AMENDMENTS.

Shall Subsection 7(H) of the Town of Davie Charter be amended so as to require an affirmative vote of no less than a super-majority of the members present of the Town Council ("super-majority" being defined as a majority plus one of the Town Council members present) to approve or support land use plan amendments?

YES \_\_\_\_\_

NO \_\_\_\_\_

SECTION 6. Upon adoption of the proposed amendment by a majority of the electors voting upon such amendment, the amendment of subsection 7(H) of the Charter as set forth herein shall be incorporated into the Charter of the Town of Davie and the new amendment shall be filed as provided by law.

SECTION 7. If any word, phrase, clause, sentence, or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

SECTION 8. That this ordinance shall be in full force and effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000.

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2001.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2001.